

## Environmental Protection Agency

## § 52.2723

2011; effective February 18, 2011. Supercedes version in paragraph 27.

(v) Appendix A, Hazardous Air Pollutants—Section 112(b) of the Clean Air Act; filed with the Secretary of State January 19, 2011; effective February 18, 2011.

[37 FR 10905, May 31, 1972, as amended at 41 FR 8968, Mar. 2, 1976; 41 FR 51017, Nov. 19, 1976; 45 FR 72658, Nov. 3, 1980; 46 FR 23417, Apr. 27, 1981; 48 FR 28271, June 21, 1983; 48 FR 48669, Oct. 20, 1983; 49 FR 38103, Sept. 27, 1984; 50 FR 7338, Feb. 22, 1985; 50 FR 15423, Apr. 18, 1985; 52 FR 38419, Oct. 16, 1987; 60 FR 28338, May 31, 1995; 62 FR 3213, Jan. 22, 1997; 75 FR 1546, Jan. 12, 2010; 77 FR 16678, Mar. 22, 2012]

### § 52.2721 Classification of regions.

The Puerto Rico plan was evaluated on the basis of the following classifications.

Air quality control region	Pollutant				
	Particulate matter	Sulfur oxides	Nitrogen dioxide	Carbon monoxide	Photochemical oxidants (hydrocarbons)
Puerto Rico	IA	IA	III	III	III

[37 FR 10905, May 31, 1972]

### § 52.2722 Approval status.

With the exceptions set forth in this subpart, the Administrator approves Puerto Rico's plans for the attainment and maintenance of national standards under section 110 of the Clean Air Act. Furthermore, the Administrator finds that the plan satisfies all requirements of Part D, Title I, of the Clean Air Act, as amended in 1977.

### § 52.2723 EPA-approved Puerto Rico regulations.

#### REGULATION FOR THE CONTROL OF ATMOSPHERIC POLLUTION

Puerto Rico regulation	Commonwealth effective date	EPA approval date	Comments
<b>PART I, GENERAL PROVISIONS</b>			
Rule 101—Title .....	9/28/95	1/22/97, 62 FR 3213 ...	Puerto Rico's Environmental Public Policy Act, Law No. 9 of June 18, 1970, is replaced with Law 416 of September 22, 2004.
Rule 102—Definitions .....	2/18/11	3/22/12, 77 FR 16676	
Rule 103—Source Monitoring, Recordkeeping, Reporting, Sampling and Testing Methods.	9/28/95	1/22/97, 62 FR 3213.	Puerto Rico's Environmental Public Policy Act, Law No. 9 of June 18, 1970, is replaced with Law 416 of September 22, 2004.
Rule 104—Emission Data Available to Public Participation.	9/28/95	.....do .....	
Rule 105—Malfunction .....	9/28/95	.....do .....	
Rule 106—Test Methods .....	9/28/95	.....do .....	
Rule 107—Air Pollution Emergencies .....	9/28/95	.....do .....	
Rule 108—Air Pollution Control Equipment .....	9/28/95	.....do .....	
Rule 109—Notice of Violation .....	9/28/95	.....do .....	
Rule 110—Revision of Applicable Rules and Regulations.	9/28/95	.....do .....	
Rule 111—Applications, Public Hearings and Public Notice.	2/18/11	3/22/12, 77 FR 16676	
Rule 113—Closure of a Source .....	9/28/95	1/22/97, 62 FR 3213.	Puerto Rico's Environmental Public Policy Act, Law No. 9 of June 18, 1970, is replaced with Law 416 of September 22, 2004.
Rule 114—Compulsory and Optional Hearing ...	9/28/95	.....do .....	
Rule 115—Penalties .....	2/18/11	3/22/12, 77 FR 16676	
Rule 116—Public Nuisance .....	2/18/11	3/22/12, 77 FR 16676	Puerto Rico's Environmental Public Policy Act, Law No. 9 of June 18, 1970, is replaced with Law 416 of September 22, 2004.
Rule 117—Overlapping or Contradictory Provisions.	9/28/95	1/22/97, 62 FR 3213.	Puerto Rico's Environmental Public Policy Act, Law No. 9 of June 18, 1970, is replaced with Law 416 of September 22, 2004.
Rule 118—Segregation and Combination of Emissions.	9/28/95	.....do .....	
Rule 119—Derogation .....	9/28/95	.....do .....	
Rule 120—Separability Clause .....	9/28/95	.....do .....	

## REGULATION FOR THE CONTROL OF ATMOSPHERIC POLLUTION—Continued

Puerto Rico regulation	Common-wealth effective date	EPA approval date	Comments
Rule 121—Effectiveness .....	9/28/95	.....do .....	
<b>PART II, APPROVAL AND PERMIT</b>			
Rule 201—Location Approval .....	9/28/95	.....do .....	
Rule 202—Air Quality Impact Analysis .....	9/28/95	.....do .....	
Rule 203—Permit to Construct a Source .....	9/28/95	.....do .....	
Rule 204—Permit to Operate a Source .....	9/28/95	.....do .....	
Rule 205—Compliance Plan for Existing Emission Sources.	9/28/95	.....do .....	
Rule 206—Exemptions .....	9/28/95	.....do .....	
Rule 207—Continuing Responsibility for Compliance.	9/28/95	.....do .....	
Rule 208—Agricultural Burning Authorized .....	9/28/95	.....do .....	
Rule 209—Modification of the Allowed Sulfur-in-Fuel Percentage.	9/28/95	.....do .....	
Rule 210—(Reserved) Part III, “Variance”.			
<b>PART III, VARIANCE</b>			
Rule 301—Variances Authorized .....	9/28/95	.....do .....	
Rule 302—Emergency Variances .....	9/28/95	.....do .....	
<b>PART IV, PROHIBITIONS</b>			
Rule 401—Generic Prohibitions .....	9/28/95	.....do .....	
Rule 402—Open Burning .....	9/28/95	.....do .....	
Rule 403—Visible Emissions .....	9/28/95	.....do .....	
Rule 404—Fugitive Emissions .....	9/28/95	.....do .....	
Rule 405—Incineration .....	9/28/95	.....do .....	
Rule 406—Fuel Burning Equipment .....	9/28/95	.....do .....	
Rule 407—Process Sources .....	9/28/95	.....do .....	
Rule 408—Asphaltic Concrete Batching Plants	9/28/95	.....do .....	
Rule 409—Non-Process Sources .....	9/28/95	.....do .....	
Rule 410—Maximum Sulfur Content in Fuels ....	9/28/95	.....do .....	
Rule 412—Sulfur Dioxide Emissions: General ...	9/28/95	.....do .....	
Rule 413—Sulfuric Acid Plants .....	9/28/95	.....do .....	
Rule 414—Sulfur Recovery Plants .....	9/28/95	.....do .....	
Rule 415—Non-Ferrous Smelters .....	9/28/95	.....do .....	
Rule 416—Sulfite Pulp Mills .....	9/28/95	.....do .....	
Rule 417—Storage of Volatile Organic Compounds.	9/28/95	.....do .....	
Rule 423, Limitations for the Guaynabo PM <sub>10</sub> Maintenance Area.	5/28/09	1/12/10, 75 FR 1543.	
<b>PART V, FEES</b>			
Rule 501—Permit Fees .....	9/28/95	1/22/97; 62 FR 3213.	
Rule 502—Excess Emission Fees .....	9/28/95	.....do .....	
Rule 503—Test Fees .....	9/28/95	.....do .....	
Rule 504—Modification .....	9/28/95	.....do .....	
<b>APPENDICES</b>			
Appendix A, Hazardous Air Pollutants—Section 112(b) of the Clean Air Act.	2/18/11	3/22/12, 77 FR 16676.	

[62 FR 3213, Jan. 22, 1997; 62 FR 6619, Feb. 12, 1997, as amended at 75 FR 1546, Jan. 12, 2010; 77 FR 16679, Mar. 22, 2012]

## § 52.2724 [Reserved]

## § 52.2725 General requirements.

(a) The requirements of § 51.116(c) of this chapter are not met, since section 2.4 of the Puerto Rico Regulation for

Control of Atmospheric Pollution could, in some circumstances, prohibit the disclosure of emission data to the public. Therefore, section 2.4 is disapproved.

(b) Regulation for public availability of emission data. (1) Any person who